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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

SUPERFUND DIV.
REMEDIAL BRANCH
(6SF-R)

October 31, 2007

Mr. Philip Allen
USEPA Region 6
Superfund Division (6SF-AP)
1445 Ross Avenue, Suite 1200
Dallas, Texas 75202-2733

Re: Star Lake Canal Federal Superfund Site, Port Neches, Texas
Response to the Draft Tier 1 Remedial Investigation Report Comments

Dear Mr. Allen:

The Texas Commission on Environmental Quality (TCEQ) received and has reviewed the above referenced document. Several of TCEQs initial comments were not included or addressed in this submittal. These comments are reiterated below:

1. The TRRP rules represent a standard of control that could produce more stringent cleanup levels to address exposure scenarios that would not necessarily have been evaluated under the CERCLA process. In some cases, this may result in cleanup levels that are more stringent than the levels developed under the CERCLA process. In other cases it may result in a cleanup value being developed for a media and/or location that the normal CERCLA process would not have developed cleanup values for at all. Two specific examples where this might occur include off-site property in industrial areas and groundwater bearing units that are not currently being used as a drinking water source. At the end of the Remedial Investigation, TCEQ needs sufficient data to allow an evaluation of whether or not the TRRP process would yield more stringent cleanup goals for any specific COC, media, and spatial location (depth and on or off-site). TCEQ also needs sufficient data to define the areas that need to be remediated should TRRP-derived cleanup goals prove to be more stringent. Many of the comments below that cite TRRP requirements are made to facilitate that eventual analysis.

p. 3, Tier 1 Human Health Risk Assessment (Tier 1 HHRA)

2. The Texas Risk Reduction Program rule is a promulgated rule and should not be listed as guidance. Please remove it from this list.

p. 9, 1.4, Applicable or Relevant and Appropriate Requirements (ARARs)

3. Please include a discussion of action and location specific potential ARARs. Texas has specific requirements regarding the assessment of nature and extent of contamination at a hazardous waste site. These requirements can be found in 30 TAC 350 Subchapter C.

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Mr. Philip Allen
Page 2
October 31, 2007

4. Please include a discussion of potential ARARs relevant to groundwater. Texas has requirements for the classification of groundwater bearing units and specific requirements regarding evaluation of nature and extent of contamination. Furthermore, there is a requirement that the groundwater pathway for human health exposure be evaluated as "complete or reasonably anticipated to be complete." These requirements are found in 30 TAC 350.

At your request, TCEQs and the Natural Resource Trustees comments regarding the Response to the Draft Tier 1 Remedial Investigation Report Comments for the Star Lake Canal Superfund Site, Jefferson County, Texas were forwarded to you under a separate piece of correspondence.

Should you need additional information or wish to discuss this letter, please call me at (512) 239-5454 or you may contact me at my email address sschreie@tceq.state.tx.us.

Sincerely,



Sarah Schreier, Project Manager
Team 1, Environmental Cleanup Section II
Remediation Division

SS/hmw